

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

LOGAN GARRISON, et al.,

Plaintiffs,

v.

CV 11-1020 MV/WPL

MEMBERS OF THE BOARD OF THE
THOMASON HOSPITAL, et al.,

Defendants.

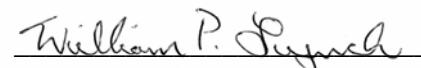
ORDER GRANTING MOTION

Plaintiffs have moved for an order allowing them to file a reply to Defendants' motions to dismiss. (Doc. 30.) The motions were filed on April 4 and 5, 2012 (Docs. 13, 15, 18-21), and Plaintiffs did not respond. When an opposed motion is filed, the opposing party is automatically entitled to file a response, which is required within fourteen days of service. D.N.M.LR-Civ. 7.4(a). After the response is filed, the moving party automatically has an opportunity to reply within fourteen days of service. *Id.* Once these documents have been filed, or once the time to file expires, the moving party must file a notice certifying that briefing is complete. D.N.M.LR-Civ. 7.4(e). Where service is made electronically or by U.S. mail, three extra days are added to the response time. FED. R. CIV. P. 6(d). Thus, Plaintiffs' responses to the motions to dismiss were due on April 23, 2012. No court order is needed to allow a party to timely file a response in opposition to a motion filed by the opposing party.

In this action, Plaintiffs are *pro se* and are presumably unfamiliar with the Federal Rules of

Civil Procedure and this district's Local Rules.¹ Defendants acknowledge Plaintiffs' *pro se* status and do not oppose Plaintiffs' request for an extension of time to respond. (Doc. 31.) Because Plaintiffs are *pro se*, I will liberally construe their pleadings. *See Weinbaum v. City of Las Cruces*, 541 F.3d 1017, 1029 (10th Cir. 2008) (citing *Hall v. Bellmon*, 935 F.2d 1106, 1110 (10th Cir. 1991)). However, Plaintiffs are advised that their *pro se* status does not relieve them of their responsibility to comply with the fundamental requirements of the Federal and Local Rules of Civil Procedure. *See Ogden v. San Juan County*, 32 F.3d 452, 455 (10th Cir. 1994) (citation omitted); *Green v. Dorrell*, 969 F.2d 915, 917 (10th Cir. 1992) (citation omitted). Nonetheless, bearing in mind that Plaintiffs seek an opportunity to respond to dispositive motions and that Defendants do not oppose the motion, I find that there is good cause to grant an extension of time for Plaintiffs to respond.

IT IS THEREFORE ORDERED that Plaintiffs shall have two weeks from the date of this order, or until **May 30, 2012**, to respond to Defendants' motions to dismiss. Defendants may file replies in accordance with the Federal and Local Rules of Civil Procedure.



William P. Lynch
United States Magistrate Judge

¹ The District of New Mexico's Local Rules of Civil Procedure may be found online at <http://www.nmcourt.fed.us/web/DCDOCS/files/localrules.html>.